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May 26, 2020

Via ECF

The Honorable Katherine Polk Failla, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Leible, et al. v. Maison Kayser, LLC, et al.*
Case No. 18-cv-11150 (KPF)

Dear Judge Failla:

We are counsel for Plaintiffs in the above-referenced matter. We write, jointly with counsel for Defendants, to respectfully request an additional extension for the deadline to submit a status letter regarding the results of mediation.

The parties were originally scheduled to mediate on April 1, 2020, but due to the ongoing situation with COVID-19, the parties agreed to postpone the mediation to May 12, 2020. However, due to difficulties in producing class-wide documents because of the current pandemic, the parties were unable to engage in mediation on that May 12, 2020 date. In fact, documents are only now, within this very week, becoming available for both Plaintiffs' and defense counsels' review. While the mediation is still anticipated to proceed on June 3, 2020, there might be one more additional delay necessitated by the review of these documents before mediation.

Based on the foregoing, the parties respectfully request an extension to file a status letter to update the Court on the results of mediation to two weeks after the new mediation date, to June 17, 2020. Thereafter, the parties additionally request leave to submit a new discovery timeline, in the event that mediation is not successful.

On January 31, 2020, the Court ordered the parties to submit a status letter regarding the results of mediation on or before May 15, 2020. On April 1, 2020, the court ordered the parties to submit a status letter regarding mediation on or before May 26, 2020. As such, this is second request for an extension to the deadline for the status letter.

We thank the Court for its time and consideration.

Respectfully submitted,

/s/ C.K. Lee
C.K. Lee, Esq.

The parties' application for an extension of time to file a status letter concerning mediation to on or before June 17, 2020, is GRANTED. Thereafter the parties may request a further extension of the discovery deadlines, but, as the Court has reminded the parties multiple times (see Dkt. #123), it is has manifested an intention to deny further extensions of discovery deadlines. The Court will not modify the discovery schedule upon the record before it.

Dated: May 26, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE